

# **MAYOR'S COMMITTEE FOR PEOPLE WITH DISABILITIES**

## **JUNE 15, 2009**

### **MINUTES – Meeting in Newton City Hall – Cafeteria**

**PRESENT:** Jane Brown, Rob Caruso (Co-Chair), Jini Fairley, Rosemary Larking, Barbara Lischinsky, Girard Plante (Co-Chair), Heather Platt  
**REGRETS:** Lucie Chansky, Jeff Hutter, Jason Rosenberg  
**STAFF:** Beverly Droz (Human & Vol. Services), Kathleen Cahill (Planning & Dev.)  
**GUESTS:** Sandra Lingley, Dave Norton, John Rice

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The meeting was called to order at 6:40pm and chaired by Girard Plante.

Introductions were made and guests were welcomed.

### **MINUTES**

**A motion** was made by Jane and 2<sup>nd</sup> by Barbara to accept the minutes from the May 18 meeting and the motion passed unanimously.

### **PRESENTATION from the Inspectional Services Department (ISD)**

We welcomed David Norton, Zoning Enforcement Agent with ISD. He's been with the City for 8 months and previously was Building Inspector in Needham. He conducts inspections for private property, including businesses, and residential, but not public property. He does anything under buildings, zoning, and ADA. He's learning more each day.

There were questions about 40B apartment complexes. One member mentioned detailed problems at Arbor Point. David said if there were problems originally, it shouldn't have received occupancy permit. It was noted that there is a long history to it and some of it may be detailed in the 2007 fall minutes. There are notes from a site visit that MCPD members made. Ted Tye visited MCPD in 2004 and promised the building would be fully compliant. Dave asked for a list detailing the non-compliance problems.

Other problem sites mentioned included Avalon on Needham Street. Once MCPD made site visit, some corrections were made. Rob said that MCPD feels that these developments should put someone on board with AAB expertise. MCPD tries to reach out to developers at the beginning stages. Avalon's accessible apartments were the ones farthest from the elevator. Dave asked about our ongoing list of unresolved locations. Kathleen will check and get back to him and gave Citizens Bank as an example.

Rosemary mentioned several locations like Shing Yee and Johnny's Luncheonette. It was noted that MCPD submitted a complaint about Johnny's Luncheonette to the AAB, and the AAB is currently sending notices to Johnny's. Rosemary said Shing Lee's automatic door opener has never worked and now they bought the restaurant Rice Valley in Newtonville, which has a door opener but it's never on.

Dave said he's taking an aggressive stance. He goes to the location to meet the people and try to deal with it and resolve it but if he can't then he takes action. Dave asked for documented info about history details, names, and dates.

Heather said we should check with former staff person Lowell Haynes who has much history with the MCPD.

Rob said the MCPD was frustrated with ISD over the years when places like Paddy O's (formerly Troubadours Restaurant) and Tommy Doyle's got away with making large renovations without having accessible entrance and/or bathrooms. Jini noted that if renovations are less than 30% of the location's value they don't have to comply. Dave can look into files and see if they are in compliance. Courts decide when and if the fines get paid. He notifies a location, they have 30 days to respond.

Rosemary noted that she's had continual problems at the CVS on Centre Street in Newton Centre. It still has 2 doors that open separately and the door openers are problematic; plus metal railings hinder it.

Barbara asked about variances. Dave said you file for variance to avoid compliance. He explained how there are appropriate variances and some that need to be remedied. Jini asked about public ways. Dave said that jurisdiction belongs to the Dept. of Public Works (DPW) and that ISD only enforces what is on private property. Again, Dave said write down details and provide contact info to him at 617-796-1093. He will look into it. He's looking forward to working with us. The Committee thanked Dave Norton.

### **CONSOLIDATION PLAN – Kathleen Cahill**

The Consolidated Plan is a five-year plan that establishes priorities for the expenditure of CDBG funds. We're going through the process that will cover FY11-FY15. Access needs are evaluated and priorities are established based on these needs. At the April and May meetings we reviewed the access needs presented by the Parks & Recreation Department, Public Works Department, the Newton Community Farm (a non-profit), and some comments by citizens. Tonight we continue to hear some access needs.

### **Presentation from the Brigham Community House** (20 Hartford Street, Newton Highlands)

We welcomed John Rice, Executive Director of the Hyde Community Center and starting 6 months ago, he is also Executive Director of the Brigham Community House (BCH).

BCH is city owned property and the BCH non-profit has a 25 year lease. It was formerly the Waban village library and previously owned by Brigham's Ice Cream. They've had a Teen Center there for the past 5 years and the Zola Center utilizes it for people with disabilities. The building is used daily as it also serves other community needs. Bev noted that the Dept. of Health & Human Services Youth Outreach workers offices were on the second floor, and they will be returning soon now that construction is over. The second floor is not accessible, and it is unfeasible to make it so. But with the renovations, the first floor is very accessible.

John noted that over 5 years ago, they started applying for CPA funding. It was a long process and renovation finally happened during the past year. The community raised money for kitchen area and a second accessible bathroom. John described the front walkway at 20 Hartford Street. They're trying to replace some of the old area. Parks and Recreation Department in charge of

snow shoveling and DPW does the plowing. There are frequent problems of blocked access to the municipal parking lot next door. One idea is to put a curb cut at the end of the walkway and put a handicap parking space there. It's currently a 2 hour parking space. There was discussion of a handicap space versus a drop-off space. Committee members have visited this site before.

In addition to repair the walkway, and constructing the curb cut, they would also like to construct a patio off of the front walkway for the many users of the building.  
He estimates the total cost to be \$12,000.

The Committee thanked John Rice for his presentation.

### **Needs Assessment Discussion**

Kathleen noted she had sent out notes from our April and May meetings regards needs assessment to the Committee.

**Newton Education Center (NEC):** Kathleen visited and noted the directory is not accessible. They'll send her a PDF file so she can investigate remedies with a sign company. However at the Ed. Center, they change departments and rooms annually so they'd need some flexibility. Heather said the Carroll Center has a tactile sign and if you touch it, it's auditory! Kathleen will visit to learn more.

**Newton Free Library (NFL):** Kathleen visited and noted they've done thorough signage planning but they've never had the money to pursue getting all the signage. Kathleen suggested MCPD may want to help fund them. There are many locations so she'd appreciate help from the MCPD members as to which locations are most important to have signage. Rosemary said there are problems with signing up for computer use. Rosemary also noted other issues such as the height of the literature racks, and chairs that can block access in the Druker Auditorium.

**Newton Housing Authority (NHA):** Kathleen visited and noted that the bell was fixed, but signage is still needed. She said staff is opened to having it. Members discussed the lack of automatic door openers; she will explore it.

### **Proposed FY11-15 Priorities**

A document had been previously circulated detailing Access Needs Assessment Proposed FY11-15 Priorities and was now discussed. It included the following 3 major areas as well as some citizen comments.

1. Improvement to public thoroughfares (village centers): curb cuts and accessible pedestrian signals. DPW has agreed to add intersections in need of accessible pedestrian signals to this list so improvements can be completed in tandem.
2. Improvements to parks and open space: this includes a list of 6 specific priority locations. Some of it is in progress but work still needs to be done.
3. Improvement to non-profit agencies: work at the Newton Angino Community Farm, accessible signage project for locations mentioned above (NEC, NFL, NHA), and the Brigham Community Center.

The uncategorized Citizen Comments included: extending senior medical taxi/voucher program to persons with disabilities, extend Meals on Wheels to persons with disabilities that live independently.

Jini said the medical taxi/voucher program and the Meals on Wheels program and should not be part of our needs assessment. Beverly explained some history the programs and current fiscal reality. The Committee agreed that these issues are not within our jurisdiction, nor do we have the resources to tackle them. The Committee agreed to focus the three areas presented.

Kathleen stated that in the next couple of months, we'll look at budget priorities and decide which years we prioritize. The entire document is due to HUD in May 2010. But our recommendations have to go to the Planning & Development Department by August 2009 so we must finalize this list now.

Heather suggested that improvements to non-profits and public buildings that are used year round should receive more priority than parks that are utilized by less people. Kathleen noted that small non-profits do not have the number of people coming to them as do the larger parks. However, she and the Committee agreed that the list should reflect public facilities more since they do receive large numbers of users. She will email revised list for the Committee to review at the July meeting.

## **OTHER ISSUES**

### **Warren House**

Rosemary is concerned about the surface of her ramp – it's very bumpy and there are holes at the bottom. Rob and Girard will meet her there. Warren House has done other good things like fixing the door and putting up various handrails.

### **Snow Committee**

It has not met yet. The committee consists of Heather, Jane, Girard, Rob, and Rosemary. Rob said we should get together with Alderman Scott Lennon's committee. It was suggested we invite them to our July 20 meeting early, before their alderman meeting.

### **Old Time Garage**

Rob sent a letter detailing the MCPD's concerns. He mentioned his wife was by there this afternoon and the side walk was clear. Barbara said they do clear it later in day but there are often cars during the day. Rob said we'll have to take photos to document it and call police. Once they receive tickets and fines they'll comply.

### **Announcements**

1. Heather announced that Jini is going to be honored with an award for outstanding achievement and inducted into the Carroll Society at an awards event at the Carroll Center for the Blind on June 26 at 3pm. Bev will get the information and email it to everyone.
2. It was noted that Steve Gartrell in the Planning & Development Dept. is retiring July 7.

### **A motion passed to adjourn at 8:45 pm.**

**The next meeting will be on Monday, July 20 at 6:30pm.**

Respectfully submitted by Bev Droz